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Re: Application No. 09/820,511 Attorney Docket No: AUS920010001US1	
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Docket No. AUS920010001US1

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Day et al.

Serial No. 09/820,511

Filed: March 29, 2001

For: Method, Apparatus, and Program  
for Magnifying the Text of a Link  
While Still Retaining Browser  
Function in the Magnified Display§  
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§  
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§  
§  
§

Group Art Unit: 2176

Examiner: Nguyen, Maikhanh

Commissioner for Patents  
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By:

Carrie Parker  
Carrie Parker

05/30/2006 TBESHAH1 00000022 090447 09020511

APPEAL BRIEF (37 C.F.R. 41.37)

FC:1402

500.00 DA

This brief is in furtherance of the Notice of Appeal, filed in this case on March 28, 2006.

A fee of \$500.00 is required for filing an Appeal Brief. Please charge this fee to IBM Corporation Deposit Account No. 09-0447. No additional fees are believed to be necessary. If, however, any additional fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

(Appeal Brief Page 1 of 47)  
Day et al. - 09/820,511

**REAL PARTY IN INTEREST**

The real party in interest in this appeal is the following party: International Business Machines Corporation.

**RELATED APPEALS AND INTERFERENCES**

With respect to other appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in the pending appeal, there are no such appeals or interferences.

(Appeal Brief Page 3 of 47)  
Day et al. - 09/820,511

**STATUS OF CLAIMS**

**A. TOTAL NUMBER OF CLAIMS IN APPLICATION**

Claims in the application are: 1, 2, 4-9, 11-13, 15-20, and 22-26.

**B. STATUS OF ALL THE CLAIMS IN APPLICATION**

1. Claims canceled: 3, 10, 14, and 21
2. Claims withdrawn from consideration but not canceled: NONE
3. Claims pending: 1, 2, 4-9, 11-13, 15-20, and 22-26.
4. Claims allowed: NONE
5. Claims rejected: 1, 2, 4-9, 11-13, 15-20, and 22-26.
6. Claims objected to: 23-26.

**C. CLAIMS ON APPEAL**

The claims on appeal are: 1, 2, 4-9, 11-13, 15-20, and 22-26.

**STATUS OF AMENDMENTS**

There are no amendments after final rejection.

(Appeal Brief Page 5 of 47)  
Day et al. - 09/820,511

### **SUMMARY OF CLAIMED SUBJECT MATTER**

#### ***Independent claim 1:***

The presently claimed invention in claim 1 provides a method for magnifying a portion of a document in a browser on a client (Specification, page 22, lines 4-5 and Figure 9). The present invention presents a first document in a first display in the browser on the client (Specification, page 10, lines 21-25; page 22, lines 6-7). The present invention generates a magnified display of the first document in memory at the client (Specification, page 10, lines 21-25; page 20, lines 3-7). The present invention displays a selected portion of the magnified display corresponding to a selected portion of the first document in a second display in the browser (Specification, page 12, lines 18-20; page 14, lines 30-31; page 22, lines 8-9). The present invention maps the selected portion of the magnified display to a display space of the selected portion of the first document (Specification, page 3, lines 6-7; page 10, lines 25-27; page 14, line 32-page 15, line 2; page 22, lines 22-25; Figure 7; and Figure 9). The present invention performs the action with respect to the first document, in response to receiving a request for an action within the second display (Specification, page 3, lines 7-13; page 10, lines 27-31; page 12, lines 20-23; page 17, line 24-page 18, line 5; page 22, lines 12-13; and Figure 9).

#### ***Independent claim 12***

The presently claimed invention in claim 12 provides an apparatus for magnifying a portion of a document in a browser (Specification, page 22, lines 4-5; Figure 3; and Figure 6). The present invention comprises first presentation means for presenting a first document in a first display in the browser on a client (Specification, page 10, lines 21-25; page 22, lines 6-7; Figure 1; Figure 3; Figure 4; and Figure 6). The present invention comprises generating means for generating a magnified display of the first document in memory at the client (Specification, page 10, lines 21-25; page 20, lines 3-7; Figure 3; Figure 6; and Figure 7). The present invention comprises displaying means for displaying in a second display in the browser a selected portion of the magnified display corresponding to a selected portion of the first document (Specification, page 12, lines 18-20; page 14, lines 30-31; page 22, lines 8-9; Figure 3; Figure 5; Figure 6; and Figure 7). The present invention comprises mapping means for mapping the selected portion of

the magnified display to a display space of the selected portion of the first document (Specification, page 3, lines 6-7; page 10, lines 25-27; page 14, line 32-page 15, line 2; page 22, lines 22-25; Figure 3; Figure 6; and Figure 7). The present invention comprises performing means for, in response to receiving a request for an action within the second display, performing the action with respect to the first document (Specification, page 3, lines 7-13; page 10, lines 27-31; page 12, lines 20-23; page 17, line 24-page 18, line 5; page 22, lines 12-13; Figure 1; Figure 3; Figure 6; and Figure 7).

***Independent claim 23:***

The presently claimed invention in claim 23 provides a computer program product, in a tangible computer readable medium, for magnifying a portion of a document in a browser (Specification, page 22, lines 4-5; page 20, line 23-page 21, line 8; and Figure 9). The present invention provides instructions for presenting a first document in a first display in the browser on a client (Specification, page 10, lines 21-25; page 22, lines 6-7). The present invention provides instructions for generating a magnified display of the first document in a memory at the client (Specification, page 10, lines 21-25; page 20, lines 3-7). The present invention provides instructions for displaying in a second display in the browser a selected portion of the magnified display corresponding to a selected portion of the first document (Specification, page 12, lines 18-20; page 14, lines 30-31; page 22, lines 8-9). The present invention provides instructions for mapping the selected portion of the magnified display to a display space of the selected portion of the first document (Specification, page 3, lines 6-7; page 10, lines 25-27; page 14, line 32-page 15, line 2; page 22, lines 22-25; Figure 7; and Figure 9). The present invention also provides instructions for, in response to receiving a request for an action within the second display performing the action with respect to the first document (Specification, page 3, lines 7-13; page 10, lines 27-31; page 12, lines 20-23; page 17, line 24-page 18, line 5; page 22, lines 12-13; and Figure 9).

***Independent claim 8:***

The presently claimed invention provides a method for magnifying a portion of a document in a browser (Specification, page 23, lines 20-21; Figure 10). The present invention presents a first document in a first display in the browser (Specification, page 10, lines 21-25; page 23, lines 22-23; Figure 3; Figure 4; and Figure 6). The present invention receives a



selection of a portion of the first document (Specification, page 19, lines 8-11; page 24-25; Figure 3). The present invention generates a magnified display of the selected portion from the structure of the first document (Specification, page 19, lines 8-11; page 23, lines 26-27; Figure 5; Figure 7; and Figure 10). The present invention analyzes a document object model for the first document (Specification, page 3, lines 13-17; page 15, lines 25-30; Figure 10). The present invention identifies a portion of the document object model that corresponds to the selected portion of the first document (Specification, page 16, lines 16-24; Figure 9; and Figure 10), wherein the magnified display of the selected portion of the first document is generated at a client based on the corresponding portion of the document object model for the first document (Specification, page 3, lines 13-17; page 16, lines 16-18; Figure 3; Figure 10). The present invention presents the magnified display (Specification, page 12, lines 18-20; page 23, line 28; Figure 5; Figure 6; and Figure 7). The present invention receives a request for an action within the magnified display (Specification, page 3, lines 7-13; page 17, line 24-page 18, line 5; page 23, lines 29-30; Figure 10). The present invention performs the action with respect to the magnified display (Specification, page 3, lines 7-13; page 17, line 24-page 18, line 5; page 19, lines 11-24; page 23, lines 31-32; Figure 10).

***Independent claim 19:***

The presently claimed invention in claim 19 provides an apparatus for magnifying a portion of a document in a browser (Specification, page 23, lines 20-21; Figure 1; Figure 2; Figure 3; Figure 10). The present invention provides first presentation means for presenting a first document in a first display in the browser (Specification, page 10, lines 21-25; page 23, lines 22-23; Figure 1; Figure 2; Figure 3; Figure 4; and Figure 6). The present invention provides first receipt means for receiving a selection of a portion of the first document (Specification, page 19, lines 8-11; page 24-25; Figure 1; Figure 3). The present invention provides magnification means for generating a magnified display of the selected portion from the structure of the first document (Specification, page 19, lines 8-11; page 23, lines 26-27; Figure 3; Figure 5; Figure 7; and Figure 10). The present invention provides analysis means for analyzing a document object model for the first document (Specification, page 3, lines 13-17; page 15, lines 25-30; Figure 3; Figure 10). The present invention provides identification means for identifying a portion of the document object model that corresponds to the selected portion of the first document (Specification, page

16, lines 16-24; Figure 3; figure 8; and Figure 10), wherein the magnified display of the selected portion of the first document is generated at a client based on the corresponding portion of the document object model for the first document (Specification, page 3, lines 13-17; page 16, lines 16-18; Figure 3; Figure 10). The present invention provides second presentation means for presenting the magnified display (Specification, page 12, lines 18-20; page 23, line 28; Figure 3; Figure 5; Figure 6; and Figure 7). The present invention provides second receipt means for receiving a request for an action within the magnified display (Specification, page 3, lines 7-13; page 17, line 24-page 18, line 5; page 23, lines 29-30; Figure 3; Figure 10). The present invention provides performing means for performing the action with respect to the magnified display (Specification, page 3, lines 7-13; page 17, line 24-page 18, line 5; page 19, lines 11-24; page 23, lines 31-32; Figure 1; Figure 2; Figure 3; Figure 6; Figure 10).

***Independent claim 25:***

The presently claimed invention provides a computer program product, in a computer readable medium, for magnifying a portion of a document in a browser (Specification, page 23, lines 20-21; page 20, line 23-page 21, line 8; Figure 10). The present invention provides instruction for presenting a first document in a first display in the browser (Specification, page 10, lines 21-25; page 23, lines 22-23; Figure 3; Figure 4; and Figure 6). The present invention provides instruction for receiving a selection of a portion of the first document (Specification, page 19, lines 8-11; page 24-25; Figure 3). The present invention provides instruction for generating a magnified display of the selected portion from the structure of the first document (Specification, page 19, lines 8-11; page 23, lines 26-27; Figure 5; Figure 7; and Figure 10). The present invention provides instruction for analyzing a document object model for the first document (Specification, page 3, lines 13-17; page 15, lines 25-30; Figure 10). The present invention provides instruction for identifying a portion of the document object model that corresponds to the selected portion of the first document (Specification, page 16, lines 16-24; Figure 9; and Figure 10), wherein the magnified display of the selected portion of the first document is generated at a client based on the corresponding portion of the document object model for the first document (Specification, page 3, lines 13-17; page 16, lines 16-18; Figure 3; Figure 10). The present invention provides instruction for presenting the magnified display (Specification, page 12, lines 18-20; page 23, line 28; Figure 5; Figure 6; and Figure 7). The

(Appeal Brief Page 9 of 47)  
Day et al. - 09/820,511

present invention provides instruction for receiving a request for an action within the magnified display (Specification, page 3, lines 7-13; page 17, line 24-page 18, line 5; page 23, lines 29-30; Figure 10). The present invention also provides instruction for performing the action with respect to the magnified display (Specification, page 3, lines 7-13; page 17, line 24-page 18, line 5; page 19, lines 11-24; page 23, lines 31-32; Figure 10).

***Dependent claim 2:***

The presently claimed invention provides for the method of claim 1 where the action comprises a selection of a link within the magnified portion and the step of performing the action comprises retrieving and displaying a second document corresponding to the link in the first display (Specification, page 17, lines 11-16; and Figure 9, reference number 908).

***Dependent claim 11:***

The presently claimed invention provides for the method of claim 8 further providing for adjusting attributes of nodes in the portion of the document object model based on a magnification factor (Specification, page 16, lines 14-24).

***Dependent claim 13:***

The presently claimed invention provides for the apparatus of claim 12 where the action comprises a selection of a link within the magnified portion and the step of performing the action comprises retrieving and displaying a second document corresponding to the link in the first display (Specification, page 17, lines 11-16; Figure 3; Figure 6; and Figure 9, reference number 908).

***Dependent claim 22:***

The presently claimed invention provides for the apparatus of claim 22 further providing for adjustment means for adjusting attributes of nodes in the portion of the document object model based on a magnification factor (Specification, page 16, lines 14-24; Figure 3 reference number 300; Figure 8, reference numbers 802-806).

***Dependent claim 24:***

The presently claimed invention provides for the computer program product of claim 23 where the action comprises a selection of a link within the magnified portion and the step of performing the action comprises retrieving and displaying a second document corresponding to the link in the first display (Specification, page 17, lines 11-16; page 20, line 23-page 21, line 8; Figure 3; and Figure 9, reference number 908).

The means recited in independent claims 12 and 19, as well as dependent claims 13, 15-18, 20, and 22-24 may be data processing hardware within network data processing system 100 in Figure 1, such as clients 108, 110, and 112; data processing system 200 in Figure 2; and data processing system 300 in Figure 3, as described in the specification at page 6, line 3, to page 10, line 20, operating under control of software performing with the functionality described in the specification at page 10, line 21, to page 20, line 21, or equivalent

**GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

The grounds of rejection on appeal are as follows:

**A. GROUND OF REJECTION 1 (Claims 1-2, 4-7, 12-13, 15-18, and 23-24)**

Claims 1-2, 4-7, 12-13, 15-18, and 23-24 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over *Guedalia* (U.S. Patent No. 6,121,970) in view of *Sussman* (U.S. Patent No. 5,586,196).

**B. GROUND OF REJECTION 2 (Claims 8-9, 11, 19-20, 22, and 25-26)**

Claims 8-9, 11, 19-20, 22, and 25-26 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over *Guedalia* (U.S. Patent No. 6,121,970) in view of *Hsing* (U.S. Patent No. 6,826,726).

### ARGUMENT

#### **A. 35 U.S.C. § 103, Alleged Obviousness, Claims 1, 12, and 23**

The Examiner rejects claims 1-2, 4-7, 12-13, 15-18, and 23-24 under 35 U.S.C. § 103(a) as being allegedly unpatentable over *Guedalia* (U.S. Patent No. 6,121,970) in view of *Sussman* (U.S. Patent No. 5,586,196). The rejection is respectfully traversed.

1. **The examiner bears the burden of establishing a *prima facie* case of obviousness.**

The Examiner bears the burden of establishing a *prima facie* case of obviousness based on the prior art when rejecting claims under 35 U.S.C. § 103. *In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992). In this case, the examiner has failed to establish a *prima facie* case of obviousness because the cited references do not teach the features of the present invention as believed by the examiner and the references cannot be properly modified or combined to reach the presently claimed invention for the reasons stated below.

*Guedalia* is directed towards archiving digital data on a server and enabling a user to interactively view a digital image derived from the digital data. *Guedalia* states:

A method and system for archiving digital data on a server computer, and enabling a user, by means of a client computer, to interactively view a digital image derived from the digital data, the method including receiving an original HTML page by the client computer from the server computer, the original HTML page containing a view window within which a first image is displayed, the view window being partitioned into a plurality of sub-regions at least one of which contains a multiplicity of pixels, selecting a location within the view window corresponding to one of the plurality of sub-regions by the user, initial sending by the client computer to the server computer an indication of the sub-region selected by the user, creating by the server computer a new HTML page containing a link to an embedded image which corresponds to the indication, and further sending the new HTML page by the server computer to the client computer.

*Guedalia*, Abstract.

The server sends an HTML page to the client. The HTML page includes a view window that is partitioned into sub-regions, in which the image sent by the server is displayed. The client sends the server an indication of a location corresponding to one of the sub-regions that is selected by a user. The server generates a new HTML page with a link to a second image and sends the new HTML page to the client. The second image is an enlarged portion of the first image. Thus,

(Appel Brief Page 13 of 47)  
Day et al. - 09/820,511

*Guedalia* teaches a server archiving images and sending images to a client. The server modifying an HTML page including a first image sent to a client so that the HTML page includes a link to a second image.

*Sussman* is directed towards providing a digital document manager. *Sussman* teaches:

A digital document magnifier for scanning and digitizing printed information, processing the information, and displaying the processed information on a display screen is provided. The digital document magnifier software analyzes the contents of a document and then automates presentation of the document to a viewer. The system includes a microprocessor for processing the scanned information, and displayable video memory for storing information to be displayed. The video memory is organized as a two-dimensional circular display buffer. The two-dimensional buffer is used to zoom incrementally an image to the display screen as necessary. The magnifier can provide either one data bit per pixel for a monochrome display, or four data bits per pixel for a color or greyscale display. Methods for scaling coordinates between a source image bitmap buffer and a two-dimensional circular display buffer also are provided. The methods include dynamically re-mapping page geometry to obtain continuous line effects and continuous column effects.

*Sussman*, Abstract.

As shown above, *Sussman* scans a printed document and displays the scanned document on a display screen. The document magnifier can zoom incrementally on the scanned image of the original printed document.

In contradistinction, the presently claimed invention magnifies a portion of a document in a browser on a client, rather than merely scanning and digitizing a printed paper document or providing a server to generate an HTML page with a link to a second image archived on a server.

The present invention presents a first document in a first display, displays a selected portion of a magnified display of the first document in a second display, and maps the selected portion of the magnified display in the second display to a display space of the selected portion of the first document. In this manner, the present invention can perform an action with respect to the first document in the first display in response to receiving a request for an action within the second display. For example, independent claim 1 recites:

1. A method for magnifying a portion of a document in a browser on a client, comprising:  
presenting a first document in a first display in the browser on the client;

generating a magnified display of the first document in memory at the client;  
displaying in a second display in the browser a selected portion of the magnified display corresponding to a selected portion of the first document;  
mapping the selected portion of the magnified display to a display space of the selected portion of the first document; and  
responsive to receiving a request for an action within the second display, performing the action with respect to the first document.

Independent claims 12 and 23 recite similar subject matter.

All claim limitations must be considered, especially when missing from the prior art. In comparing *Guedalia* and *Sussman* to the claimed invention, the claim limitations of the presently claimed invention may not be ignored in an obviousness determination. *Guedalia* and *Sussman*, taken either alone or in combination, fails to teach or suggest all of the features in the generating, displaying, mapping, and performing steps in claim 1. The specific features lacking in this cited reference are discussed below.

i. Generating a magnified display of the first document in memory at the client.

*Guedalia* fails to teach or suggest "generating a magnified display of the first document in memory at the client," as is recited in independent claim 1. The Examiner alleges this feature is taught by *Guedalia* at column 12, lines 51-58, which states as follows:

A user 32, who operates the client computer 20, interactively controls the image portion displayed within the HTML page by means of an input device such as a mouse and keyboard 34. The HTML page with the image portion embedded therein is displayed on a display device 36. The user 32 views the display screen and in turn adjusts the image portion being viewed by issuing commands via the mouse and keyboard 34.

*Guedalia*, column 12, lines 51-58.

In this cited section, *Guedalia* teaches that a user may interactively control display of an HTML page with an embedded image at the client through the use of a keyboard and mouse. The user may adjust display qualities of an image displayed to the user by issuing commands through the mouse and keyboard to control image display. Thus, *Guedalia* simply manipulates or controls display of an image HTML page including a digital image. However, *Guedalia* does not disclose or suggest that controlling the display of the HTML page and embedded image includes magnifying the HTML page or the digital image. Furthermore, *Guedalia* does not expressly or inherently teach or suggest that the user inputs received through the mouse and

(Appeal Brief Page 15 of 47)  
Day et al. - 09/820,511



keyboard can in any way control the image to generate a magnified display of the first document in memory at the client.

In fact, rather than generating a magnified display on the client, *Guedalia* sends the display from a server to the client. *Guedalia* teaches:

However, for both flat 2D and panoramic images, in order to render the portion of the image to be displayed, the client computer has to have received a corresponding portion of the archived image data from the server computer. This in turn requires that new data be transmitted in response to each interactive user command, which leads to a non-smooth interactive user experience, whereby the navigation appears to proceed in "spurts."

*Guedalia*, column 12, lines 6-14.

As shown above, a client must receive an archived image from the server for the client to render or display the image. Thus, the client may only display an enlarged or magnified image portion if an enlarged or magnified image is archived at the server and the server transmits the enlarged image portion to the client. *Guedalia* does generate the enlarged or magnified image at the client. Thus, it follows that if the server is unable to transmit the enlarged image to the client, the client will be unable to display an enlarged image. In other words, *Guedalia* merely teaches display at the client of an image sent by the server to the client, rather than generating a magnified display of a first document in memory at the client. Although the image received from the server may be an image of an enlarged portion of a first image to simulate a zoom-in function while user interactively views images at the client, the client is merely displaying an image received from the server, rather than generating an enlarged image.

Moreover, *Guedalia* specifically teaches that the enlarged image portion is generated at the server rather than at the client. *Guedalia* teaches:

receiving by said client computer a second HTML page, generated by said server computer, in response to said sub-region which was selected, wherein said second HTML page contains a link to a second image, the second image being an enlarged portion of the first image, and the enlarged portion of the first image corresponding to the selected location; and

*Guedalia*, column 18, lines 45-51(subsection of claim 12).

Here, *Guedalia* states that a server generates a second HTML page containing a link to a second image, which is an enlarged portion of a first image. The server sends the new HTML page with

the link to the second image to the client. Thus, to display the enlarged portion of the first image, the client simply clicks on the link in the second HTML page to the second image. The second image that is an enlarged portion of the first image is not generated in memory at the client. Furthermore, the reference does not teach, suggest, or provide any incentive for generating a magnified display of any kind at the client in this or any other section of the reference.

Furthermore, *Guedalia* teaches that the enlarged image sent by the server to the client is only a portion of the first image. Generating a magnified display of the entire first document in memory at the client is not taught or suggested in this or any other section of the reference. Thus, *Guedalia* merely teaches display of successive images sent to a client from a server in response to a client request to view images by selecting a sub-region in an HTML page or following a link in an HTML page to receive the image from the server. The images are not generated in memory at the client. Moreover, *Guedalia* does not teach or suggest that either the server or the client generates a magnified display of an entire first document in memory at the client.

The cited portion of *Guedalia* regarding a user adjusting the display of an image via a mouse and keyboard is insufficient to teach or suggest "generating a magnified display of the first document in memory at the client." Therefore, the cited references fail to teach or suggest "generating a magnified display of the first document in memory at the client," as is recited in independent claim 1.

ii. Displaying in a second display in the browser a selected portion of the magnified display.

*Guedalia* fails to teach or suggest "displaying in a second display in the browser a selected portion of the magnified display corresponding to a selected portion of the first document," as is recited in claim 1. The Examiner states this feature is taught by *Guedalia* at column 18, lines 45-51, which is quoted above. *Guedalia* recites that a client receives a second HTML page, generated by a server that contains a link to a second image. The second image is an enlarged portion of the first image. If the client does not receive the HTML page with the link to the second image, the client cannot follow the link to obtain the second image that is an enlarged image on the browser. Thus, the client cannot display the second image unless the image or a link to the image is received from the server. *Guedalia* teaches:

The browser encounters the IIP command sequence and sends an IIP request for image data 58 to the server. The server parses the request, accesses the necessary FLASH-PIX® image tiles, assembles them into a rectangular image portion 60, and sends the new image back to the client. In turn, the client then displays the HTML page with the new image portion embedded within in it.

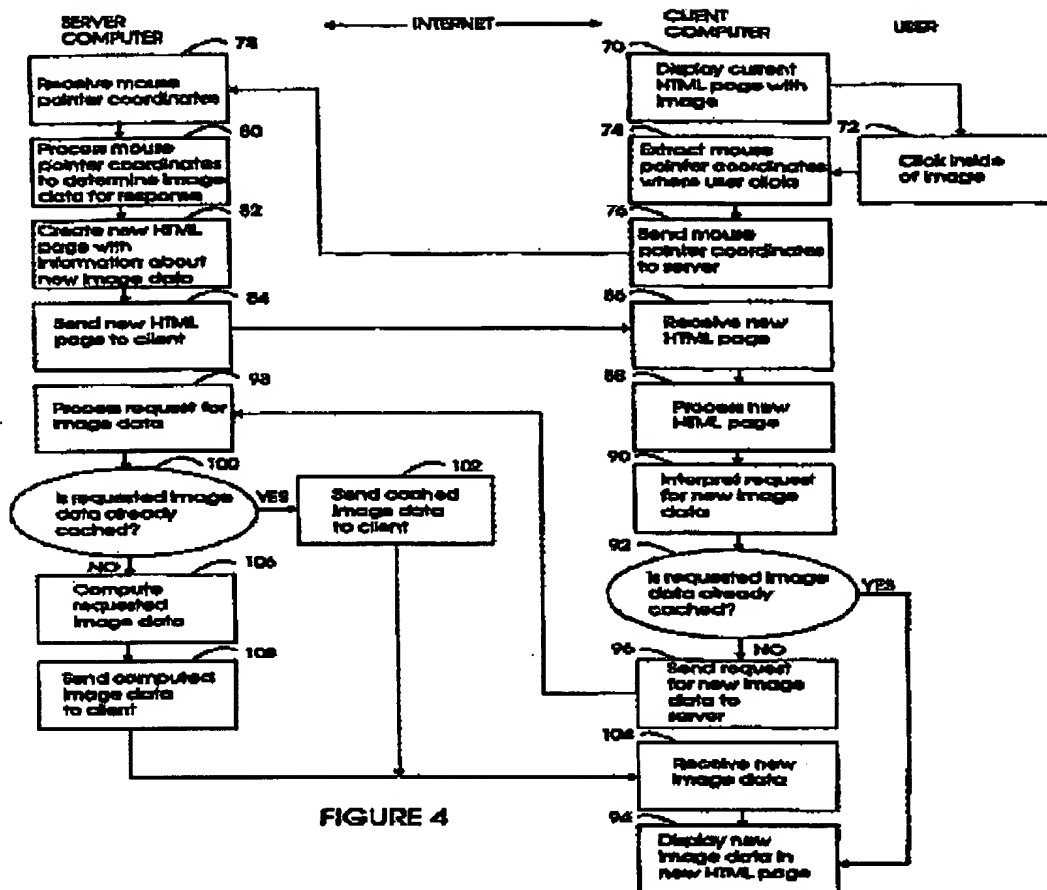
*Guedalia*, column 15, lines 4-10.

As shown above, the server generates the image portion for display and sends it to the client. The client displays the HTML page with the new image embedded within it. In contradistinction, the magnified display of the presently claimed invention is generated in memory on the client. Therefore, the present invention in claim 1 provides an advantage over *Guedalia* in that the client is not dependent upon a server to transmit an enlarged image to the client because the client generates a magnified display in memory at the client.

Moreover, *Guedalia* does not teach, suggest, or mention displaying a selected portion of the magnified display corresponding to a selected portion of the first document in a second display in the browser. Thus, the cited reference fails to teach or suggest "displaying in a second display in the browser a selected portion of the magnified display corresponding to a selected portion of the first document," as is claimed in claim 1.

iii. Responsive to receiving a request for an action in the second display,  
performing the action with respect to the first document.

*Guedalia* fails to teach or suggest "responsive to receiving a request for an action within the second display, performing the action with respect to the first document," as is recited in claim 1. The Examiner alleges this feature is taught by *Guedalia* in Figure 4, items 86-94. Figure 4 illustrates as follows:



*Guedalia*, Figure 4.

As can be seen in the figure, *Guedalia* teaches that a user requests display of an embedded image by clicking inside an image, the coordinates for the mouse pointer are sent to the server, the server creates a new HTML page with new image data, the new HTML page is sent to the client, and if the embedded image requested by client is already in cache the image is displayed, otherwise, the image must be requested from the server. The text of *Guedalia* for the cited figure teaches:

At step 86 the client receives the new HTML page, and at step 88 the browser processes the page. At step 90 the browser recognizes that the HTML page contains a link to an embedded image portion. At step 92 the client checks whether that embedded image portion is already resident in its local cache. If so, then the page can be displayed at once at step 94, with the embedded image rendered. Otherwise, at step 96 the client sends the request for the image portion back to the server.

*Guedalia*, column 15, lines 42-50.

*Guedalia* only teaches a server sending image data to a client for display. The cited figure merely emphasizes the fact that if the client wishes to display an enlarged image portion, the enlarged image portion must be sent by the server to the client. Merely selecting a link for an embedded image portion in an HTML page to request download or transmittal of an image archived at a server is insufficient to teach or suggest receiving a request for an action within a second display displaying a magnified portion of the first document and performing the action with respect to the first document.

Although the image sent to the client by the server may be an enlarged image portion, *Guedalia* does not teach or suggest "a request for an action" within that enlarged image portion. In fact, the only action taught by *Guedalia* is selecting a sub-region of an image to request download or transmittal of an image by the server. Once the image is received and displayed at the client, no further action with respect to the displayed image portion is suggested by the reference.

Moreover, *Guedalia* merely teaches a server sending the requested embedded image to the client for display. *Guedalia* does not teach, suggest, or even mention performing an action with respect to the first document in response to receiving a request for an action in the selected portion of the magnified display in the second display. Once a sub-region in a first HTML page is selected and a new HTML page containing a link to a second image is received from the server and displayed at the client, *Guedalia* does not provide for any further action of any kind with respect to the digital image included in the first HTML page. In fact, as shown above, *Guedalia* does not even suggest that the first HTML page continues to be displayed after the new HTML page is received and displayed at the client, thereby negating any suggestion that a further action could be taken with regard to the first HTML page. Thus, *Guedalia* fails to teach or suggest "responsive to receiving a request for an action within the second display, performing the action with respect to the first display document," as is claimed in independent claim 1.

iv. Mapping the selected portion of the magnified display.

The prior art of reference fails to teach or suggest "mapping the selected portion of the magnified display to a display space of the selected portion of the first document," as is recited in claim 1. The Examiner acknowledges that *Guedalia* fails to disclose this feature. However, the

Examiner alleges *Sussman* teaches mapping the selected portion of the magnified display to the display space of the selected portion of the first document at column 29, lines 42-45; column 30, lines 37-46, and Figure 21.

The cited portion of *Sussman* at column 29, lines 42-45 is included in the following portion of *Sussman* that states:

The DDM display management software sub-system provides a unique solution to the problem of scaling coordinates between a source image bitmap buffer and a toroidal display buffer using non-integer scaling ratios, without accumulation of coordinate errors, and while dynamically re-mapping page geometry to obtain continuous line and continuous column effects.

Key concepts in the implementation of the display management are: gridding (exact coordinate conversion using truncation); clipping (obtaining precise registration, or "stitching", of template zoom operations while obtaining single pixel edge positioning); zone mapping (maintaining a representation of the document as presented to the user in terms of the offsets of zones in the source page image bitmap to the screen origin); rolling (toroidal buffer management); cursor pair (display cursor and page cursor representing same point in screen space and in page space); and explicit and implicit cursor types.

*Sussman*, column 29, lines 30-45.

As shown above, *Sussman* states that non-integer scaling ratios can be used to solve the problem of scaling coordinates between a source image bitmap buffer and a display buffer. *Sussman* also discloses re-mapping page display geometry to obtain continuous line and continuous column effects when a scanned document is displayed on a display screen. *Sussman* discloses zone mapping to maintain representation of the document as presented to the user in terms of offsets of zones in the source page image bitmap to the screen origin. Thus, *Sussman* teaches zone mapping and scaling ratios to scale between a bitmap buffer and display buffer for display of a scanned document on a display screen and zone mapping of a scanned document presented to a user cannot teach or suggest mapping a portion of a magnified display in a second display in a client browser to a display space of a selected portion of a first document in a first display in the browser on the client.

The cited portion of *Sussman* at column 30, lines 37-46 is included in the portion of *Sussman* that states as follows:

Additionally, since the page image is reconstructed to the display screen with a different geometry than found on the original page, a coordinate translation

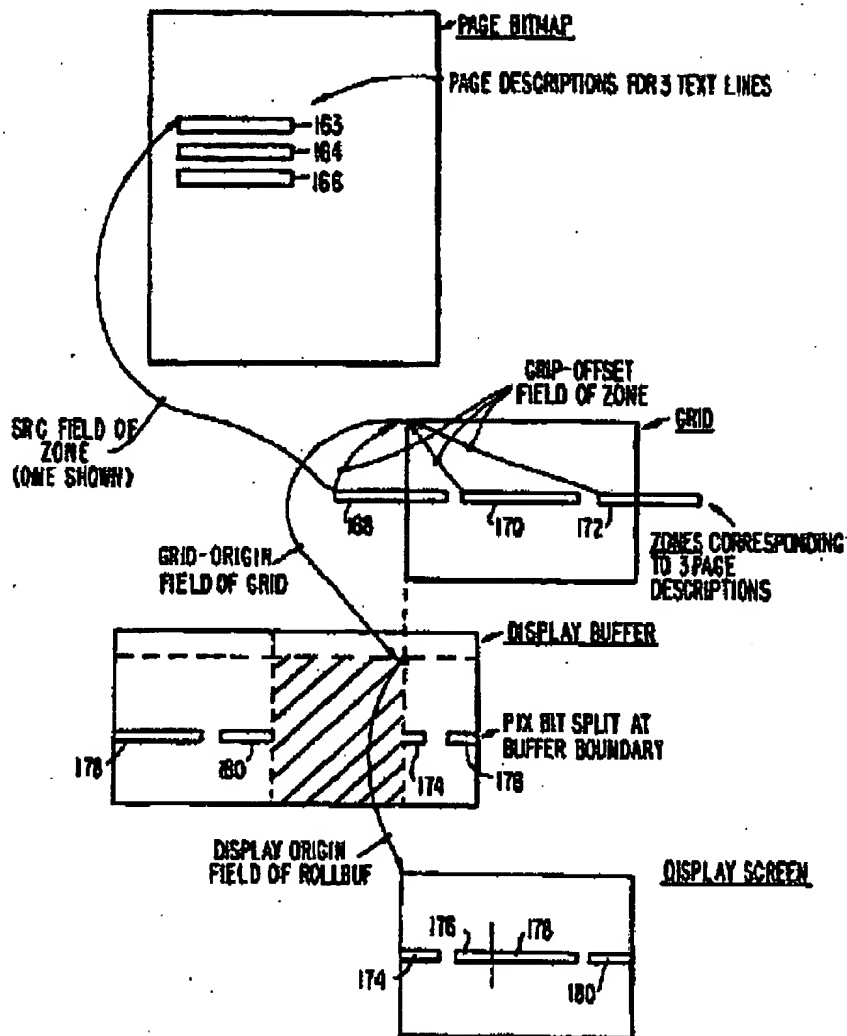
also applies between the two cursor "spaces." This translation varies with the presentation mode employed: continuous text-lines, continuous text-columns, etc.

The DISP\_CUR and PAGE\_CUR together contain all of the positional information needed to relate a reading location in a set of document images (PAGEs) to a location on the display screen. The two cursors are together termed the "cursor pair", and are of central importance in the external control of the display sub-system. The cursor pair maps a point on the display screen to the page image. Since all operations on the display sub-system are specified in terms of the cursor pair, the display sub-system may be described as "cursor driven".

*Sussman*, column 30, lines 31-46.

*Sussman* states positional information is needed to relate a reading location in a document image to a location on the display screen. A cursor pair maps a point on the display screen to the document page image. Although *Sussman* mentions mapping between a point on a display screen and a scanned document page image, *Sussman* does not teach or suggest mapping a portion of a magnified display in a second display to a display space of a portion of a first document in a first display. The mere utilization of mapping for any generalized purpose, such as mapping between cursor pairs or mapping between buffers as described in *Sussman*, is insufficient to teach or suggest utilization of mapping for mapping a portion of a magnified display to a display space of a portion of a first document, as is claimed in claim 1.

Finally, the Examiner cites to Figure 21. Figure 21 of *Sussman* illustrates as follows:

**FIG. 21**

49.

*Sussman*, Figure 21.

Here, *Sussman* teaches a digital document magnifier for scanning and digitizing printed information by scanning a printed document to create a document image and then utilizing zone mapping to map between the display and the document image. A representation of the offsets of zones in the source document image is maintained because the document is displayed with a

(Appeal Brief Page 23 of 47)  
Day et al. - 09/820,511



different geometry and format on the display screen than was present in the original scanned document image. Thus, *Sussman* teaches utilizing mapping of a display and a scanned document image so that a scanned document may be displayed with continuous text-lines or continuous text-column effects that were not present in the original scanned document image. However, the teachings of *Sussman* are insufficient to disclose "mapping the selected portion of the magnified display" in a second display in the browser "to a display space of the selected portion of the first document" in the first display in the browser. Thus, *Sussman* fails to teach or suggest "mapping the selected portion of the magnified display to a display space of the selected portion of the first document," as is claimed in independent claim 1.

Therefore, independent claim 1 is not obvious in view of *Guedalia* and *Sussman*, either alone or in combination, because the features believed to be disclosed by the cited references are not present. Moreover, independent claims 12 and 23 recite subject matter addressed above with regard to claim 1 and are distinguishable over the prior art of reference under the same rationale presented above with regard to independent claim 1.

**2. A proper *prima facie* case of obviousness must be supported by some teaching or suggestion in the prior art.**

A proper *prima facie* case of obviousness must be supported by some teaching or suggestion contained in the combined references. Appellants respectfully submit that the cited references cannot be combined to produce the claimed invention. *Guedalia* and *Sussman*, either alone or in combination, do not give any teaching, suggestion, or incentive to generate a magnified display of a first document in memory at the client; display a selected portion of the magnified display in a second display in the browser; map the selected portion of the magnified display to a display space of the selected portion of the first document; and perform an action with respect to the first document in response to receiving a request for an action within the second display.

The Examiner alleges it would have been obvious to one having ordinary skill in the art at the time the invention was made to include the feature from *Angiulo* in the system of *Sussman* because it would have provided the capability for achieving the desired display effects while minimizing memory and computing requirement through a combined hardware/software strategy based on specific organization of computer memory. Appellants note that *Angiulo*, which was

cited by the Examiner in a non-final office action dated February 24, 2005, is not one of the cited references in the Examiners final rejection of the claims under 35 U.S.C. §103. This is the first reference to *Angiulo* made in regard to the final rejection of independent claim 1 in the final office action dated January 3, 2006. Thus, the Examiner has failed to point out the manner in which the presently claimed invention would be obvious in view of *Angiulo* and *Sussman*. Therefore, the presently claimed invention is non-obvious over any alleged combination of *Angiulo* and *Sussman*.

The mere fact that a prior art reference can be readily modified does not make the modification obvious unless the prior art suggested the desirability of the modification. *In re Laskowski*, 871 F.2d 115, 10 U.S.P.Q.2d 1397 (Fed. Cir 1989); *see also In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992); *In re Mills*, 916 F.2d 680, 16 U.S.P.Q.2d 1430 (Fed. Cir. 1993). The Examiner may not merely state that the modification or combination would have been obvious to one of ordinary skill in the art without pointing out in the prior art a suggestion of the desirability of the proposed modification. The Examiner states it would have been obvious to include the feature of *Angiulo* in the system of *Sussman* because it would provided the capability for achieving the desired display effects while minimizing memory and computing requirements through a combined hardware/software strategy based on a specific organization of computer memory. However, the Examiner merely says the combination would provide the capability for achieving "the desired display effects" without providing any teaching, suggestion, or motivation in *Angiulo*, or *Sussman* for explaining what the desired display effects are and why the display effects are desirable. Moreover, the Examiner has provided no suggestion or motivation for the combination of *Gudalia* and *Sussman*. Therefore, the Examiner has failed to provide any teaching, suggestion, or motivation for the alleged combination of the references.

**3. The proposed modification of *Guedalia* would not be made when *Guedalia* is considered as a whole.**

"It is impermissible within the framework of section 103 to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art." *In re Hedges*, 228 U.S.P.Q. 685, 687 (Fed. Cir. 1986). The present invention recognizes the problem encountered by users that are visually impaired and/or have difficulty with fine motor movements locating and selecting links on a web page. The prior art of reference does not

teach the problem or its source. Instead, *Guedalia* is directed towards problems associated with image navigation on a client with latency of server processing and network communication.

*Guedalia* states:

The drawback with this client-less approach to image navigation is that it is very processing-heavy on the server side. For every interactive user command, the server has to render a customized image to embed in the dynamic HTML page. Given the rapid pace with which interactive user commands are issued, this puts a heavy burden on the server, greatly slowing down its performance. Moreover the combined latency of the server processing and the network communication makes the user experience "bumpy" rather than a "smooth" interactive experience; i.e. the navigation experience appears more like a slide show than a continuous animation.

*Guedalia*, column 3, lines 45-57.

*Guedalia* overcomes this problem by caching images for display. According to *Guedalia*, an enlarged image is not generated at a client but is generated at a server and transmitted to the client. Thus, when *Guedalia* is examined as a whole, *Guedalia* teaches one of ordinary skill in the art to magnify an image portion at a server.

Furthermore, *Guedalia* actually teaches away from the presently claimed invention since *Guedalia* directs one to download an embedded image from a server that may be an enlarged image portion of another image for display rather than magnifying an entire document at the client and displaying the selected portion of the magnified document in a second display. See *In re Hedges*, 228 U.S.P.Q. 685 (Fed. Cir. 1986). Therefore, *Guedalia* actually teaches away from the presently claimed invention as recited in independent claims 1, 8, 12, 19, 23, and 25 because *Guedalia* teaches generating a magnified image at the server and sending the image to the client for display. Thus, one of ordinary skill in the art would not be motivated to make the changes proposed by the Examiner.

Moreover, when *Sussman* is examined as a whole, *Sussman* is concerned with the problem of magnifying printed material. *Sussman* states:

This invention relates to a system for magnifying printed materials. More particularly, this invention relates to a system in which printed material for documents is digitized and processed by a microprocessor, and then displayed for viewing.

*Sussman*, column 1, lines 14-18.

*Sussman* solves the problem by scanning a printed document, magnifying the document contents and altering the configuration of the content for display to user. *Sussman* provides a complete solution to the problem.

Moreover, the inventions disclosed in *Guedalia* and *Sussman* are entirely different from each other. *Guedalia* is directed towards the image navigation on a network where server processing and network latency is a problem. *Guedalia* teaches:

The present invention provides a novel approach to client-less HTML-driven interactive image navigation over the Internet. It operates through the medium of image maps, and is designed in such a way as to allow for efficient caching on both the client and server sides, so as to reduce network latency for the client and also boost server performance.

*Guedalia*, column 3, lines 60-65.

Thus, *Guedalia* teaches image navigation over a network. In contradistinction, *Sussman* is directed to scanning and enlarging printed material. *Sussman* teaches:

These and other objects of the invention are accomplished in accordance with the principles of the invention by providing a system which scans and digitizes printed information, processes the information, and outputs the processed information to a display screen. The digital document magnifier of the present invention uses a format analyzer to determine the contents of a document, and then automates presentation of the document to the viewer.

*Sussman*, column 1, lines 48-56.

As shown above, *Guedalia* and *Sussman* teach two entirely different inventions. Therefore, one of ordinary skill in the art would not be motivated to combine or modify *Guedalia* and *Sussman* in the manner required to reach the presently claimed invention. Thus, one of ordinary skill would not be motivated make the examiner's proposed combination of *Guedalia* and *Sussman* to reach the presently claimed invention when *Guedalia* and *Sussman* are considered as a whole.

However, even if one were motivated to combine *Guedalia* and *Sussman*, the references fail to teach or suggest the features for generating a magnified display of a first document in memory at a client and mapping the selected portion of the magnified display to the selected portion of the first document such that receiving a request for a first action in the second display would permit performing the action with respect to the first document. As discussed above, *Guedalia* and *Sussman*, either alone or in combination, fail to teach or suggest the features recited in the presently claimed invention in independent claims 1, 8, 12, 19, 23, and 25. Thus, any alleged combination of the prior art of reference cannot render obvious the claimed features

of generating a magnified display of a first document in memory at a client and mapping the selected portion of the magnified display to the selected portion of the first document such that receiving a request for a first action in the second display would permit performing the action with respect to the first document because the cited references fail to teach or suggest these features.

The presently claimed invention may only be reached through an improper use of the disclosed invention as a template to piece together and modify the prior art. The Examiner may not use the claimed invention as an "instruction manual" or "template" to piece together the teachings of the prior art so that the invention is rendered obvious. *In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992). Such reliance is an impermissible use of hindsight with the benefit of applicant's disclosure. *Id.* Therefore, absent some teaching, suggestion, or incentive in the prior art, the cited references cannot be properly combined to form the claimed invention. As a result, absent any teaching, suggestion or incentive from the prior art to make the proposed combination, the presently claimed invention can be reached only through an impermissible use of hindsight with the benefit of applicant's disclosure a model for the needed changes.

Thus, the presently claimed invention in claims 1, 12, and 23 are allowable over *Guedalia* and *Sussman*. Accordingly, Appellants respectfully request that the rejection of claims 1, 12, and 23 under 35 U.S.C. § 103(a) not be sustained.

**A.1 35 U.S.C. § 103, Alleged Obviousness, Claims 2, 4-7, 13, 15-18, and 24**

At least by virtue of their dependency on independent claims 1, 12, and 23 dependent claims 2, 4-7, 13, 15-18, and 24 are distinguishable over the prior art of reference. Furthermore, dependent claims 2, 4-7, 13, 15-18, and 24 recite other additional combinations of features not taught or suggested by the prior art of reference. For example, as to dependent claim 2, the Examiner alleges that *Guedalia* teaches selection of a link within the magnified portion and the step of performing the action comprises retrieving and displaying a second document corresponding to the link in the first display at column 17, lines 56-63, which recites as follows:

modifying by said server computer, using server-side software, the HTML page to generate a new HTML page with a link to a second image, the second image being an enlarged portion of the first image, and the enlarged portion of the first image corresponding to the selected location; and

*Guedalia*, column 17, lines 56-63.

*Guedalia* claims a server modifying an HTML page to generate a new HTML page having a link to a second image. The second image is an enlarged portion of a first image. *Guedalia* merely discloses a server sending an HTML page with a link to a client. The link is not a link in a magnified portion, as claimed in claim 2. In fact, *Guedalia* specifically states that the link is in an HTML page and the link is to a second image that is an enlarged image. The link is not contained within the enlarged image but instead leads to the enlarged image.

Moreover, it is assumed that if a user selects the link to the second image, the second image will be transmitted to the user. *Guedalia* does not teach or suggest that selecting the link in the new HTML page to the second image will result in any action being taken with regard to the first HTML page or the first image. In fact, there is no indication that the first HTML page is still displayed or available for performing any action or function whatsoever. Therefore, *Guedalia* cannot teach or suggest performing an action with regard to the first HTML page or a first image in response to receiving a request for an action within a second display. Therefore, *Guedalia* and *Sussman*, either alone or in combination, fail to teach or suggest each and every feature recited in claim 2. Dependent claims 13 and 24 recite similar subject matter addressed above with regard to claim 2 and are non-obvious over *Guedalia* and *Sussman* for the same reasons stated above. Therefore, the applied references fail to teach each and every claim limitation and, thus, fail to render claims , 4-7, 13, 15-18, and 24 obvious.

Thus, the presently claimed invention in claims 2, 4-9, 11-13, 15-20, and 22-26 are allowable over *Guedalia* and *Sussman*. Accordingly, Appellants respectfully request that the rejection of claims , 4-7, 13, 15-18, and 24 under 35 U.S.C. § 103(a) not be sustained.

**B. 35 U.S.C. § 103, Alleged Obviousness, Claims 8, 19, and 25**

The Examiner rejects claims 8-9, 11, 19-20, 22, and 25-26 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over *Guedalia* (U.S. Patent No. 6,121,970) in view of *Hsing* (U.S. Patent No. 6,826,726). The rejection is respectfully traversed.

Independent amended claim 8 claims as follows:

8. A method for magnifying a portion of a document in a browser, comprising:

presenting a first document in a first display in the browser;

(Appeal Brief Page 29 of 47)  
Day et al. - 09/820,511

- receiving a selection of a portion of the first document;
- generating a magnified display of the selected portion from the structure of the first document;
- analyzing a document object model for the first document;
- identifying a portion of the document object model that corresponds to the selected portion of the first document, wherein the magnified display of the selected portion of the first document is generated at a client based on the corresponding portion of the document object model for the first document;
- presenting the magnified display;
- receiving a request for an action within the magnified display; and
- performing the action with respect to the magnified display.

Independent claims 19 and 25 recite similar subject matter.

Independent claims 8, 19, and 25 recite subject matter addressed above with regard to independent claims 1, 12, and 23. Thus, the same distinctions between *Guedalia* and claims 1, 12, and 23 discussed above are applicable to independent claims 8, 19, and 25 with regard to the similarly recited subject matter. In particular, *Guedalia* does not teach or suggest “generating a magnified display of the selected portion from the structure of the first document... wherein the magnified display of the selected portion of the first document is generated at a client based on the corresponding portion of the document object model for the first document;” and “receiving a request for an action within the magnified display; and performing the action with respect to the magnified display,” for the same reasons set forth above with regard to independent claim 1.

In addition, *Guedalia* and *Hsing*, either alone or in combination, fails to teach or suggest “analyzing a document object model for the first document” and “identifying a portion of the document object model that corresponds to the selected portion of the first document,” as is recited in claims 8, 19, and 25. *Guedalia* does not teach “identifying a portion of the document object model that corresponds to the selected portion of the first document, wherein the magnified display of the selected portion of the first document is generated at a client based on the corresponding portion of the document object model for the first document” as recited in claim 8. The Examiner acknowledges that *Guedalia* does not teach identifying a portion of the document object model that corresponds to the selected portion of the first document. However, the Examiner alleges *Hsing* teaches this feature at column 4, lines 30-67 and Fig. 8.

*Hsing* is directed towards remote document updating using XML and DOM. *Hsing* states:

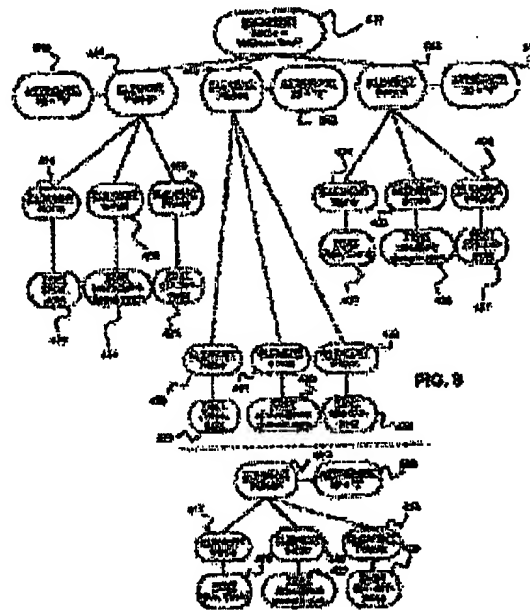
In a system comprising a local processing device, a transmission link to a remote processing device, and a remote processing device, a method for updating a remote document in accordance with mutations made to a portion of the remote document maintained on the local processing device comprising the steps of loading at least a portion of the remote document into the local processing device as a local XML document, creating a logical document object model (DOM) having a plurality of nodes arranged in a logical hierarchical structure such that each node corresponds to an XML tag and data element in the XML document, mutating the XML document by adding, deleting, or modifying one or more of its data elements, updating the DOM to conform to the mutations to the XML document, creating a first event table that contains events corresponding to each mutation to the XML document where each entry comprises a path to a node in the DOM affected by the mutation and an event type, processing the first event table to create a second event table that contains the smallest number of events necessary to update the remote document to conform to the local XML document, transmitting the second event table and related data from the local device to the remote device, and mutating the remote document in accordance with events in said second event table and related data such that said remote document will have corresponding data elements of the same value as mutated data elements in the modified local XML document.

*Hsing*, Abstract.

As shown above, *Hsing* creates a document object model (DOM) for a local document and updates the DOM to conform to mutations to the local document, creating a first event table that corresponds to each mutation to the document. The first event table is processed to create a second event table containing the smallest number of events necessary to update a remote document to conform to the local document. The second event table is transmitted from the local device to a remote device where the remote document is updated in accordance with the second event table.

The Examiner cites to Figure 8 of *Hsing*, which illustrates as follows:





*Hsing*, Figure 8.

Figure 8 of *Hsing* illustrates document object model of an address book that has various nodes. However, Figure 8 appears to present a document object model for an entire address book. *Hsing* does not illustrate identifying a portion of a document object model. Moreover, *Hsing* does not illustrate or suggest that a magnified display of a selected portion of the address book or any other document represented in a document object model is generated based on the corresponding portion of the document object model that is identified. As shown above, *Hsing* illustrates a main database is updated to reflect changes made to a document at a local database. The document object model has a plurality of nodes such that each node corresponds to an XML tag and data element in the XML document. The cited portions of *Hsing* merely illustrate and describe a document object model for an address book. A portion of the cited text of *Hsing* at column 4, lines 30-44 state as follows:

FIG. 2b shows the address book represented as an XML document. In the XML specification, a "document" may constitute almost any object having properties that include a value. The XML structure reflects the organization of the database. Thus, the XML tag <address book> 250, represents the database, and is located at the highest level. Each database record 260, defined as a "person," is located at an intermediate level, and has a unique ID attribute that uniquely identifies it and distinguishes it from other elements at the same level. Discrete

data elements representing the data in each field of each record are located at the lowest level. In FIG. 2b, the XML tag `<person ID="1">` 260 is at the intermediate level, while data maintained under the XML tags for `<name>` 270, `<phone>` 280, and `<email>` 290 are located at the lowest level.

*Hsing* column 4, lines 30-44.

*Hsing* describes an address book represented as an XML document. The XML tag `<address book>` represents the database at the highest level. Each record defined as a person in the address book is located at an intermediate level. The discrete data elements representing data in each field, such as `<name>`, `<phone>`, and `<email>`, are located at the lowest level. *Hsing* describes the hierarchy of tags representing data elements in an address book. *Hsing* does not teach or suggest identifying a portion of a document object model that corresponds to a selection of a portion of a first document and wherein a magnified display of the selected portion of the first document is generated at a client based on the corresponding portion of the document object model. *Hsing* does not teach or suggest that a magnified display of a document can be generated at a client based on a corresponding portion of a document object model. In fact, *Hsing* does not teach, suggest, or even mention generating a magnified display of any kind.

The other portion of *Hsing* cited by the Examiner teaches as follows:

The DOM presents documents as a hierarchy of "node" objects. The DOM corresponding to the XML document of FIG. 2b is a branching hierarchy, as depicted in FIG. 7. The DOM may include a variety of node objects that also implement other, more specialized interfaces for accessing and manipulating document objects. Some types of nodes may act as "parent" nodes having "child" nodes below them in the hierarchy. Others may be "leaf" nodes that cannot have anything below them in the document structure. Each node in the DOM corresponds to an XML tag. Each node has properties, including at least a "name" property and a data value property. As shown in FIG. 7, node 411 is an "element" type object, and has a name property ("Person") and an ID attribute 530 of "1." The node is a parent-type node established in the DOM specification. Nodes 414-422 with them. However, for each sub branch of the DOM, the element name property for each element will not be repeated in that sub branch. Nodes 422-431 are leaf "text" nodes and cannot have child nodes below them. A text node contains only a data value and is associated with an element node. For example, node 416 is the element node having the property "phone," and node 425 is the associated text containing the data "617-321-7654." Another example is shown at nodes 418 and 427 having the element "email," and a data value of "ddoe@.thatdomain.com."

*Hsing*, column 4, lines 45–column 5, line 2.

Here, *Hsing* states that document object model present documents as a hierarchy of “node” objects. *Hsing* states that the document object model shown in Figure 2b of *Hsing* is a branching hierarchy. Each node has properties, including a “name” property and a data value property. Thus, *Hsing* merely describes document object model hierarchies for node objects. *Hsing* does not provide any teachings or suggestions for identifying a portion of a document object model corresponding to a portion of a first document wherein a magnified display of a selected portion of a first document is generated based on the corresponding portion of the document object model for the first document.

*Hsing* fails to teach or suggest “analyzing a document object model for the first document” and “identifying a portion of the document object model that corresponds to the selected portion of the first document, wherein the magnified display of the selected portion of the first document is generated at a client based on the corresponding portion of the document object model for the first document,” as is claimed in amended independent claim 8.

In addition, independent claims 19 and 25 recite subject matter addressed above with regard to claim 8 and are distinguishable over the prior art of reference for the same reasons set forth above with regard to claim 8. Therefore, independent claims 8, 19, and 25 are not obvious in view of *Guedalia* and *Hsing*, either alone or in combination, because the features believed to be disclosed by this cited reference are not present.

A proper *prima facie* case of obviousness must be supported by some teaching or suggestion contained in the combined references. Appellants respectfully submit that the cited references cannot be combined to produce the claimed invention. *Guedalia* and *Hsing*, either alone or in combination, do not give any teaching, suggestion, or incentive for receiving a selection of a portion of the first document; generating a magnified display of the selected portion from the structure of the first document; identifying a portion of the document object model that corresponds to the selected portion of the first document, wherein the magnified display of the selected portion of the first document is generated at a client based on the corresponding portion of the document object model for the first document; presenting the magnified display; receiving a request for an action within the magnified display; and performing the action with respect to the magnified display.

The Examiner alleges it would have been obvious to one having ordinary skill in the art at the time the invention was made to include the feature from *Hsing* in the system of *Guedalia* because it would have provided the capability for reducing the number of accesses from client to server that will require the transmission of only the smallest amount of data is necessary to provide complete information for the server to update its database. However, the present invention in claims 8, 19, and 25 magnifies a portion of a document in a browser. The rationale provided by the Examiner for the alleged combination of *Hsing* and *Guedalia* does not provide any teaching, suggestion, or motivation for magnifying a portion of a document in a browser.

Furthermore, Appellants note that independent claims 8, 19, and 25 do not claim transmission of data from a server to a client. To the contrary, and as discussed above, claims 8, 19, and 25 now recite a magnified display "generated at the client" based on the document object model for the first document. Therefore, the Examiner's proposed incentive information for the server to update its database cannot possibly provide a suggestion or motivation for magnifying a document in a browser or identifying a portion of a document object model that corresponds to the selected portion of a first document, wherein the magnified display of the selected portion of the first document is generated at a client based on the corresponding portion of the document object model for the first document, as is claimed in claims 8, 19, and 25. Thus, the Examiner's proposed incentive is not applicable and the Examiner has failed to point out a teaching, suggestion, or incentive for the proposed combination of *Hsing* and *Guedalia*.

The proposed modification of *Guedalia* would not be made when *Guedalia* is considered as a whole. The present invention recognizes the problem encounter by users that are visually impaired and/or have difficulty with fine motor movements locating and selecting links on a web page. *Guedalia* and *Hsing* do not teach the problem or its source. Instead, as discussed above with regard to claim 1, *Guedalia* is directed towards problems associated with image navigation on a client with latency of server processing and network communication. *Guedalia* overcomes this problem by caching images.

*Hsing* is directed towards the problem of updating a main database to reflect changes made to a local database using the smallest number of events to update the database. *Hsing* teaches:

This invention relates to a system for updating and synchronizing a document on a network server from a remote device. More specifically, this invention uses the

Document Object Model (DOM) specification to manipulate documents, including databases that conform to the XML document structure specification, to enable remote workstations, or clients, to update through the transmission of the minimum amount of information necessary to fully update the server's database, it is suitable for applications, including wireless transmission, transmissions in which the connection between the client and server is of limited bandwidth, transmissions using conventional telephone lines, and transmissions through computer networks using physical media.

*Hsing*, column 1, lines 8-23.

Thus, each of the references provides a complete solution to the problem addressed. One of ordinary skill in the art would not be motivated to make the Examiner's proposed modifications to reach the presently claimed invention when *Guedalia* and *Hsing* are considered as a whole.

Moreover, the inventions disclosed in the prior art of reference are entirely different from each other. *Guedalia* is directed towards the image navigation on a network where server processing and network latency is a problem. *Guedalia* teaches image navigation over a network. In contradistinction, *Hsing* is directed to updating a remote document to reflect changes made to a local document. As shown above, *Guedalia* and *Hsing* address two entirely different problems and solve these problems with disparate solutions. Therefore, one of ordinary skill in the art would not be motivated to combine or modify *Guedalia* and *Hsing* in the manner required to reach the presently claimed invention.

Thus, the presently claimed invention in claims 8, 19, and 25 are not obvious over *Guedalia* in view of *Hsing*. Therefore, Appellants respectfully request that the rejection of claims 8, 19, and 25 not be sustained.

**B.1 35 U.S.C. § 103, Alleged Obviousness, Claims 9, 11, 20, 22, and 26**

At least by virtue of their dependency on independent claims 8, 19, and 25 dependent claims 9, 11, 20, 22, and 26 are distinguishable over the cited prior art. Furthermore, dependent claims 9, 11, 20, 22, and 26 recite other additional combinations of features not taught or suggested by the prior art of reference. For example, as to dependent claim 11, the Office Action alleges that *Guedalia* teaches adjusting attributes of nodes based on a magnification factor at column 16, lines 58-column 17, line 10, which recites as follows:

Specifically, as described above, the browser sends both client state information and mouse coordinates to the server. The tokens received are

the view window delimiters  $x1o$ ,  $y1o$ ,  $x2o$ ,  $y2o$ , the pixel dimensions  $w$ ,  $h$ , and the relative mouse coordinates  $x$ ,  $y$ . The arrays `click_array_x1[ ]`, `click_array_y1[ ]`, `click_array_y2[ ]` specify five sub-regions. For example, the first sub-region is the middle rectangle extending from (0.25, 0.25) to (0.75, 0.75), and the second sub-region is the L-shaped area in the lower left, described by the part of the rectangle extending from (0.0, 0.0) to (0.5, 0.5) which excludes the previous rectangle. The arrays `goto_array_x1[ ]`, `goto_array_y1[ ]`, `goto_array_x2[ ]` and `goto_array_y2[ ]` specify the image portion to be used for the response. In the example shown, the first response portion is the image portion in the middle rectangle extending from (.25, 0.25) to (0.75, 0.75) and the second response portion is the image portion in the lower left rectangle extending from (0.0, 0.0) to (0.5, 0.5).

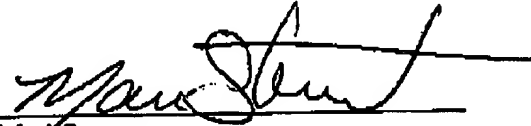
The out.print calls at the end of the listing do the actual writing of the dynamic HTML page.

Hsing column 16, line 58-column 17, line 10.

As shown above, *Guedalia* is describing the process whereby the browser sends client state information and mouse coordinates to the server indicating which sub-region has been selected by the user. The cited portion of *Guedalia* merely identified the coordinates of the selected sub-region responsive to user request. Nowhere in the cited reference does *Guedalia* teach adjusting the attributes of nodes in the portion of the document object model on a magnification factor. Therefore, the applied references fail to teach each and every claim limitation of claim 11. In addition, claim 22 recites subject matter addressed above with regard to claim 11. Therefore, claim 22 is distinguishable over *Guedalia* and *Hsing* for the same reasons set forth above with regard to claim 11. Thus, claims 9, 11, 20, 22, and 26 are non-obvious over the cited references.

Thus, the presently claimed invention in claims 9, 11, 20, 22, and 26 are not obvious over *Guedalia* in view of *Hsing*. Therefore, Appellants respectfully request that the rejection of claims 9, 11, 20, 22, and 26 not be sustained.

In view of the above, Appellant respectfully submits that claims 1, 2, 4-9, 11-13, 15-20, and 22-26 are allowable over the cited prior art and that the application is in condition for allowance. Accordingly, Appellant respectfully requests the Board of Patent Appeals and Interferences to not sustain the rejections set for the in the Final Office Action.



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**CLAIMS APPENDIX**

The text of the claims involved in the appeal are:

1. A method for magnifying a portion of a document in a browser on a client, comprising:  
presenting a first document in a first display in the browser on the client;  
generating a magnified display of the first document in memory at the client;  
displaying in a second display in the browser a selected portion of the magnified display  
corresponding to a selected portion of the first document;  
mapping the selected portion of the magnified display to a display space of the selected  
portion of the first document; and  
responsive to receiving a request for an action within the second display, performing the  
action with respect to the first document.
2. The method of claim 1, wherein the action comprises a selection of a link within the  
magnified portion and the step of performing the action comprises retrieving and displaying a  
second document corresponding to the link in the first display.
4. The method of claim 1, wherein the step of mapping the magnified display to a display  
space comprises mapping the magnified portion to the first document to form an imagemap.
5. The method of claim 1, wherein the step of generating a magnified display of the first  
document comprises:  
creating the second display, wherein the second display has a magnified display space  
based on a magnification factor;



reading pixels from video memory for the magnified portion in a normal display space for the original document; and

populating pixels in the second display to form a magnified display.

6. The method of claim 5, wherein the step of populating pixels in the second display comprises for each pixel of the normal display space, populating adjacent pixels based on the magnification factor.

7. The method of claim 5, wherein the step of mapping the magnified display to a display space comprises mapping a magnified display space for the magnified portion to corresponding pixels in a normal display space for the original document.

8. A method for magnifying a portion of a document in a browser, comprising:  
presenting a first document in a first display in the browser;  
receiving a selection of a portion of the first document;  
generating a magnified display of the selected portion from the structure of the first document;  
analyzing a document object model for the first document;  
identifying a portion of the document object model that corresponds to the selected portion of the first document, wherein the magnified display of the selected portion of the first document is generated at a client based on the corresponding portion of the document object model for the first document;

presenting the magnified display;

receiving a request for an action within the magnified display; and

performing the action with respect to the magnified display.

9. The method of claim 8, wherein the action comprises a selection of a link within the magnified display and the step of performing the action comprises retrieving and displaying a second document corresponding to the link in the first display.

11. The method of claim 8, further comprising:

adjusting attributes of nodes in the portion of the document object model based on a magnification factor.

12. An apparatus for magnifying a portion of a document in a browser, comprising:

first presentation means for presenting a first document in a first display in the browser on a client;

generating means for generating a magnified display of the first document in memory at the client;

displaying means for displaying in a second display in the browser a selected portion of the magnified display corresponding to a selected portion of the first document;

mapping means for mapping the selected portion of the magnified display to a display space of the selected portion of the first document; and

performing means for, in response to receiving a request for an action within the second display, performing the action with respect to the first document.

13. The apparatus of claim 12, wherein the action comprises a selection of a link within the magnified portion and the performing means comprises means for retrieving and displaying a second document corresponding to the link in the first display.

15. The apparatus of claim 12, wherein the step of mapping means for mapping the magnified display to a display space comprises means for mapping the magnified portion to the first document to form an imagemap.

16. The apparatus of claim 12, wherein the generating means comprises:  
creation means for creating the second display, wherein the second display has a magnified display space based on a magnification factor;  
reading means for reading pixels from video memory for the magnified portion in a normal display space for the original document; and  
population means for populating pixels in the second display to form a magnified display.

17. The apparatus of claim 16, wherein the population means comprises means for populating adjacent pixels based on the magnification factor for each pixel of the normal display space.

18. The apparatus of claim 16, wherein the mapping means comprises means for mapping pixels in the magnified display space to corresponding pixels in the normal display space.

19. An apparatus for magnifying a portion of a document in a browser, comprising:  
first presentation means for presenting a first document in a first display in the browser;  
first receipt means for receiving a selection of a portion of the first document;

magnification means for generating a magnified display of the selected portion from the structure of the first document;

analysis means for analyzing a document object model for the first document;

identification means for identifying a portion of the document object model that corresponds to the selected portion of the first document, wherein the magnified display of the selected portion of the first document is generated at a client based on the corresponding portion of the document object model for the first document;

second presentation means for presenting the magnified display;

second receipt means for receiving a request for an action within the magnified display;

and

performing means for performing the action with respect to the magnified display.

20. The apparatus of claim 19, wherein the action comprises a selection of a link within the magnified display and the performing means comprises means for retrieving and displaying a second document corresponding to the link in the first display.

22. The apparatus of claim 19, further comprising:

adjustment means for adjusting attributes of nodes in the portion of the document object model based on a magnification factor.

23. A computer program product, in a tangible computer readable medium, for magnifying a portion of a document in a browser, comprising:

instructions for presenting a first document in a first display in the browser on a client;

instructions for generating a magnified display of the first document in a memory at the

client;

instructions for displaying in a second display in the browser a selected portion of the magnified display corresponding to a selected portion of the first document;

instructions for mapping the selected portion of the magnified display to a display space of the selected portion of the first document; and

instructions for, in response to receiving a request for an action within the second display performing the action with respect to the first document.

24. The computer program product of claim 23, wherein the action comprises a selection of a link within the magnified portion and the instructions for performing the action comprises instructions for retrieving and displaying a second document corresponding to the link in the first display.

25. A computer program product, in a computer readable medium, for magnifying a portion of a document in a browser, comprising:

instructions for presenting a first document in a first display in the browser;

instructions for receiving a selection of a portion of the first document;

instructions for generating a magnified display of the selected portion from the structure of the first document;

instructions for analyzing a document object model for the first document;

instructions for identifying a portion of the document object model that corresponds to the selected portion of the first document, wherein the magnified display of the selected portion of the first document is generated at a client based on the corresponding portion of the document object model for the first document;

instructions for presenting the magnified display;

instructions for receiving a request for an action within the magnified display; and  
instructions for performing the action with respect to the magnified display.

26. The computer program product of claim 25, wherein the action comprises a selection of a link within the magnified display and the instructions for performing the action comprises instructions for retrieving and displaying a second document corresponding to the link in the first display.

**EVIDENCE APPENDIX**

There is no evidence to be presented.

**RELATED PROCEEDINGS APPENDIX**

There are no related proceedings.



MAY 26 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Serial No.: 09/820,511

Filed: March 29, 2001

For: Method, Apparatus, and  
Program for Magnifying the Text of a  
Link While Still Retaining Browser  
Function in the Magnified Display§  
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Group Art Unit: 2176

Examiner: Nguyen, Maikhanh

Attorney Docket No.: AUS920010001US1

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facsimile to the Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450, facsimile number (571) 273-8300  
on May 26, 2006.

By:

Carrie Parker  
Carrie ParkerTRANSMITTAL OF APPEAL BRIEFCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

ENCLOSED HERewith:

- Appeal Brief (37 C.F.R. 41.37)

A fee of \$500.00 is required for filing an Appeal Brief. Please charge this fee to IBM Corporation Deposit Account No. 09-0447. No additional fees are believed to be necessary. If, however, any additional fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

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